IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 1078 OF 2005
IN
SUMMONS FOR JUDGMENT NO. 594 OF 2004
IN
SUMMARY SUIT NO. 1544 OF 2004

Bharat P. Valia.] .. Appellant (Ori.Defendt)

Versus

Dr. Mahendra R. Mehta.] .. Respondent (Ori.Pltff.)

Mr. Nitin Thakkar, senior counsel with Mr. Tushar Bhavsar i/b M/s. Shah & Sanghvi for the appellant.

Mr. D.H. Mehta with Ms. Jyoti Shah i/b M/s. Daru Shah & Co. for the respondents.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 31ST JANUARY, 2006

P.C. :

. Heard Mr. Nitin Thakkar, the learned senior counsel for the appellant and Mr. D.H. Mehta, the learned counsel for the respondent.

2. The learned senior counsel for the appellant craves leave to implead Mrs. Sadhana Bharat Valia residing at Hari Krishna Bungalow, Road No.8, Plot No.15, Juhu-Vile Parle Scheme, Mumbai-400049 as

appellant No.2.

3. Mr. D.H. Mehta, the learned counsel for the respondent has no objection to the impleadment of the aforesaid party.

4. We accordingly grant leave to implead Mrs. Sadhana Bharat Valia as appellant No.2. Necessary amendment in the cause title be carried out forthwith.

5. The learned senior counsel and counsel for the parties handed in Consent Terms marked "X" for identification purposes.

6. Having perused the Consent Terms, we are satisfied that these are in the interest of the parties.

7. We accordingly dispose of the Appeal in terms of the Consent Terms.

8. As per the Consent Terms, the Suit also stands

disposed of as decreed.

9. The undertaking given by the appellants in the Consent Terms is accepted.

10. No costs.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOOP V. MOHTA, J.]

[srpasha@hc]